



**Zoning Board of Appeals**  
**Tuesday, June 11, 2024, at 6:30pm**  
Gwinnett Justice and Administration Center  
75 Langley Drive, Lawrenceville, GA 30046

- A. **Call To Order, Pledge to Flag**
- B. **Opening Remarks by Chairman and Rules of Order**
- C. **Approval of Agenda**
- D. **Approval of Minutes – April 10, 2024**
- E. **Announcements**
- F. **New Business**

- 1. Case Number: **ZVR2024-00026**  
Applicant: Dimension Development Partners, LLC  
c/o Mahaffey Pickens Tucker, LLP  
Owner: Hamilton Village LLC  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: C-2  
Location: 2759 Hamilton Mill Road  
Map Number: R1001 024B  
Variance Requested: Exceed maximum parking  
Commission District: (4) Holtkamp
  
- 2. Case Number: **ZVR2024-00034**  
Applicant: Behnaz Motlagh  
Owner: Jacob Sedgh  
Contact: Behnaz Motlagh  
Phone Number: 770.993.0200  
Zoning: C-2  
Location: 5370 Stone Mountain Highway  
Map Number: R6061 023  
Variance Requested: Additional ground sign  
Commission District: (2) Ku

- 3. Case Number: **ZVR2024-00035**  
Applicant/ Owner/Contact: Nina Marx  
Phone Number: 678.707.9238  
Zoning: R-140  
Location: 2900 Still Meadows Way  
Map Number: R7180 038  
Variance Requested: Exceed maximum fence height  
Commission District: (4) Holtkamp
  
- 4. Case Number: **ZVR2024-00036**  
Applicant: Winston Simmonds  
c/o LJA Engineering  
Owner: Excelsior Investment Holdings LLC  
Contact: Tyler Lasser  
Phone Number: 470.202.9321  
Zoning: R-100  
Location: 1906 Knight Circle  
Map Number: R4273 019  
Variance Requested: Minimum lot width reduction  
Commission District: (3) Watkins

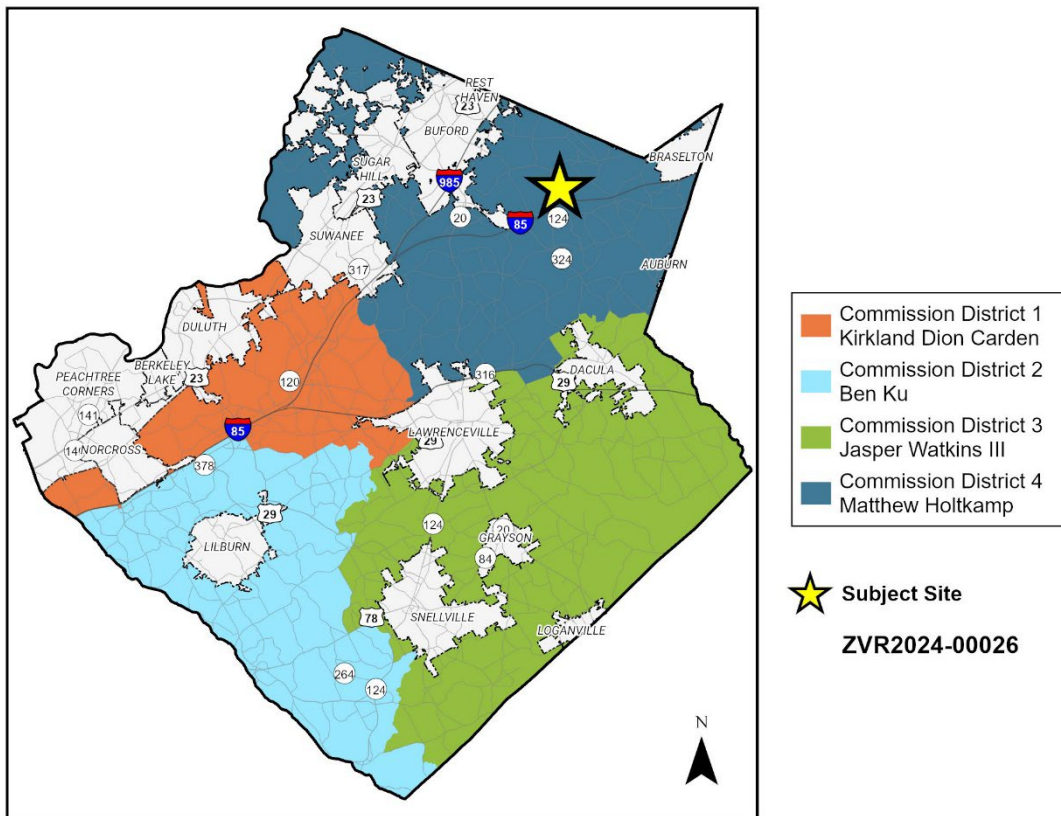
**G. OTHER BUSINESS**

**H. ANNOUNCEMENTS**

**I. ADJOURNMENT**

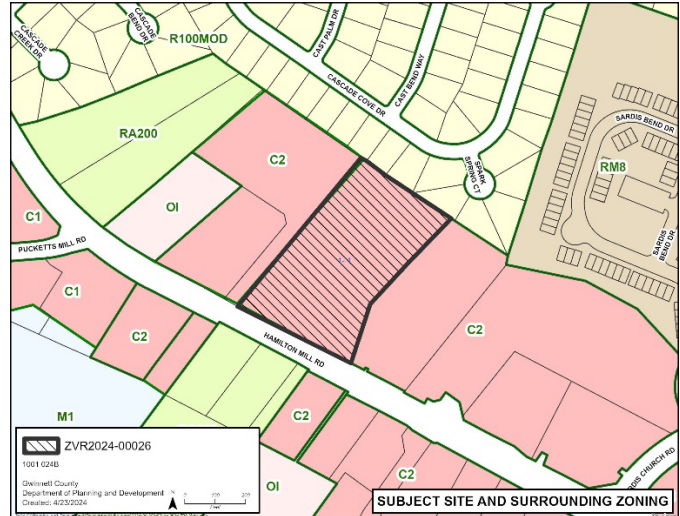
## ZONING BOARD OF APPEALS CASE REPORT

**Case Number:** ZVR2024-00026  
**Request:** Variance to exceed maximum parking  
**Address:** 2759 Hamilton Mill Road  
**Map Number:** R1001 024B  
**Site Area:** 4.96 acres  
**Proposed Development:** Retail Buildings  
**Applicant:** Dimension Development Partners, LLC  
**Owner:** Hamilton Village, LLC  
**Contact Information:** Shane Lanham, 770.232.0000  
**Commission District:** District 4 – Commissioner Holtkamp/Rumbaugh



## Existing Site Conditions

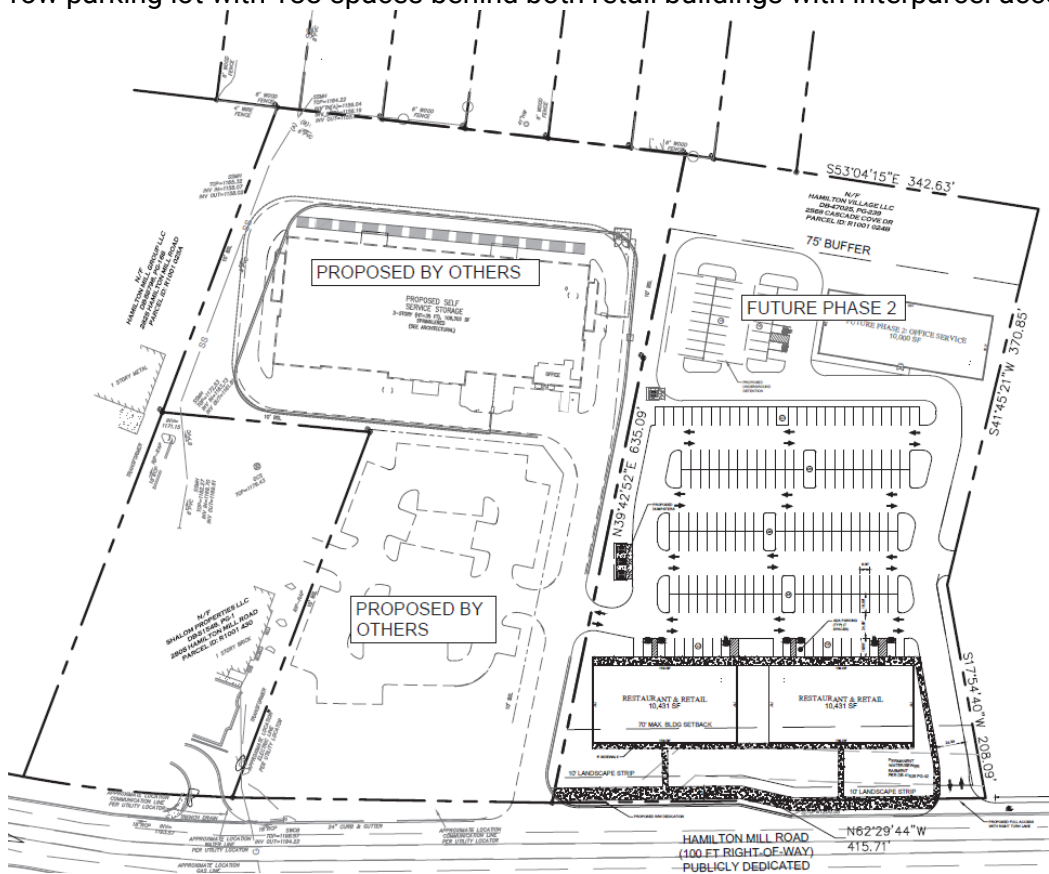
The subject site is a 4.96-acre property located on Hamilton Mill Road. The subject property is zoned C-2 (General Business District). The property is undeveloped with dense trees.



## Project Summary

The applicant proposes retail buildings with parking lots including:

- Two 10,431 square foot restaurant and retail buildings adjacent to the road frontage with one access driveway to Hamilton Mill Road, for a total of 20,862 square feet.
- A 7-row parking lot with 188 spaces behind both retail buildings with interparcel access.





### **Variance Request**

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow a parking lot to exceed the maximum allowable spaces.

**Section 240-20.2 & Table 240.1: Maximum parking for retail use is 1 per 300 square feet.**

### **Staff Recommended Conditions**

Should the Zoning Board of Appeals choose to approve the variance request, staff recommends the following conditions of approval:

1. The parking lot shall be in general conformance with the site plan received March 14, 2024.

### **Exhibit: Application**



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3/14/2024

VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

Property Information:

Property Address: 2759 Hamilton Mill Rd Property Parcel ID: 1001 024B

Variance(s) Requested: Parking max. increase from 70 spaces to 188 spaces

Unified Development Ordinance (UDO) Code Section(s): Section 240-20.2 & Table 240.1

Sign Ordinance Code Section(s): NA

Applicant Information:

Name: Dimension Development Partners, LLC

Contact Person: Shane M Lanham of Mahaffey Pickens Tucker, LLP

Mailing Address: 1550 North Brown Rd, Suite 125

City, State, Zip Code: Lawrenceville, GA 30043

Phone Number: 770-232-0000 Email Address: slanham@mptlawfirm.com

Applicant is (check, if applicable): [ ] Property Owner [X] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: Hamilton Village LLC

Telephone Number: (770) 778-9954 Email Address: info@susconllc.com

Signatures:

Applicant Signature: [Signature]

Property Owner Signature: [Signature]

Name of Applicant: David Blass, Manager

Name of Property Owner: Charles Petrakopolous, Co-Manager

Date: 3/12/2024

Date: 3.12.2024



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VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

Property Information:

Property Address: Property Parcel ID:

Variance(s) Requested:

Unified Development Ordinance (UDO) Code Section(s):

Sign Ordinance Code Section(s):

Applicant Information:

Name:

Contact Person:

Mailing Address:

City, State, Zip Code:

Phone Number: Email Address:

Applicant is (check, if applicable): [ ] Property Owner [ ] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name:

Telephone Number: Email Address:

Signatures:

Applicant Signature: Julia Maxwell Property Owner Signature:

Name of Applicant: Julia Maxwell, Attorney for Applicant Name of Property Owner:

Date: 3/14/2024 Date:

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3/14/2024

**Standards for Granting Variances:**

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Please see attached Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_



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Matthew P. Benson  
Catherine W. Davidson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Rebecca B. Gober  
Christopher D. Holbrook  
Shane M. Lanham  
Jessica R. Kelly

Julia A. Maxwell  
Jeffrey R. Mahaffey  
Steven A. Pickens  
Jack M. Ryan  
Gabrielle H. Schaller  
S. Tess Shaheen  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

## LETTER OF INTENT FOR VARIANCE APPLICATION

Mahaffey Pickens Tucker, LLP submits the attached variance application (the “Application”) on behalf of Dimension Development Partners, LLC (the “Applicant”), relating to a proposed development of an approximately 4.87-acre parcel of land (the “Property”) located along Hamilton Road. The Property is zoned C-2 and is located in the Highway 124/324/Hamilton Mill Road Overlay District.

The proposed development would include two approximately 10,431 square foot restaurant and retail buildings with one access driveway on Hamilton Mill Road. To accommodate the proposed development, the Applicant is requesting a variance from the requirements of the Gwinnett County Unified Development Ordinance (the “UDO”). Specifically, the Applicant is requesting the following variance:

1. UDO §240-20.2 (Table 240.1): a variance to increase the maximum number of parking spaces allowed for a non-free-standing restaurant from 1 space per 300 square feet of building area to 1 space per 100 square feet of building area. Based on the proposed building area of 20,862 square feet, the UDO would allow a maximum of 70 parking spaces. The requested variance would permit a maximum of 188 parking spaces for inline restaurant/retail use and, including the daycare facility parking, would have a total of 222 parking spaces.

The nature of the proposed restaurant and retail building use demands higher parking counts than are allowed by the UDO. Based on the proposed development’s area of 20,862 square

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feet, the Applicant anticipates approximately 17,700 square feet to be restaurants and approximately 3,162 square feet to be retail space. Under a strict interpretation of the UDO, because the restaurant is not “free-standing” but is attached to a retail space, the amount of parking allowed is 1/3 of what would be allowed if the restaurant was “free-standing.” In essence, a strict interpretation of the UDO would require the Applicant to increase the size of the proposed building by nearly 40,000 square feet in order to provide 188 parking spaces. Without relief, this arbitrary distinction will cause the Applicant to be unable to provide adequate parking for the potential businesses in the development. Further, restaurants experience a higher turnover in customers and allowing the Applicant to provide for a larger parking area would enhance safety for patrons walking to and from the restaurant and their vehicles. Furthermore, if allowed, the requested number of parking spaces will be located in the rear of the development and will not negatively impact the aesthetics or walkability of the area. Unnecessarily restricting the number of parking spaces will likely impact small businesses in Gwinnett County and keep non-chain restaurants from opening and/or remaining open.

The requested variance arises from conditions that are unique and peculiar to the land, structures, and buildings involved. The request is necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced. The conditions requiring the requested relief are not ordinarily found in properties of the same zoning district as the subject property. The requests are the result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the Applicant. The arbitrary distinction between free-standing and inline restaurants found in Title 2 of the UDO is the cause

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of the conditions the Applicant requests a variance from. Granting the requested variances would not impair or injure other property or improvements in the neighborhood in which the subject property is located, impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures. Approval of the requested variance would further the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

This 14th day of March, 2024.

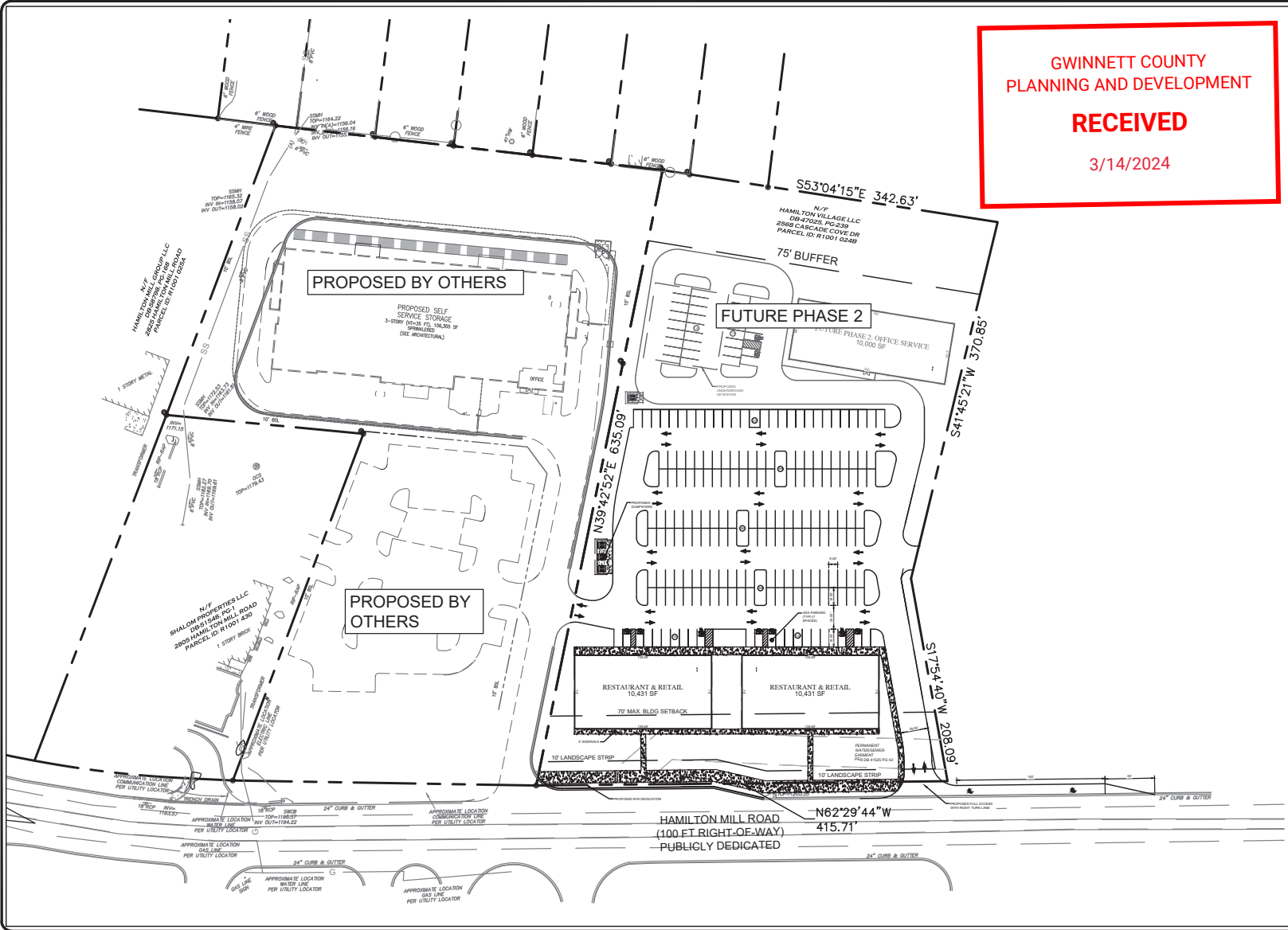
Respectfully Submitted,  
MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham  
*Attorneys for the Applicant*

K:\ATL\_Civil\1021021021 - Hamilton Mill Rd\CAD\Exhibits\2024-03-13 Variance Plan\2024-03-13 VARIANCE PLAN.dwg Layout1 Mar 13, 2024 6:40pm by: Brad Herbol

**GWINNETT COUNTY  
PLANNING AND DEVELOPMENT**  
  
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 3/14/2024



DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
CURRENT ZONING:	C-2
PREVIOUS REZONING CASE:	RZC-07-037
OVERLAY DISTRICT:	HAMILTON MILL OVERLAY
SITE AREA TOTAL:	4.87 ACRES
MAXIMUM LOT COVERAGE:	80%
FEMA ZONE CLASSIFICATION:	ZONE X (UNREGULATED)
<b>BUILDING SETBACK:</b>	
FRONT:	70 FT MAXIMUM
SIDE:	0 FT
REAR:	75 FT UNDISTURBED BUFFER
<b>BUILDING AREA</b>	
RESTAURANT (NO DRIVE-THRU)	17,700 SF
RETAIL	3,162 SF
DAYCARE	10,000 SF
<b>PARKING SUMMARY:</b>	
<b>MAXIMUM PARKING (PER CODE):</b>	
FREESTANDING RESTAURANT (11000 SF)	104 SPACES
RETAIL SHOPPING CENTER (13000 SF)	0 SF = 0 SPACES
DAYCARE CENTER (13000 SF)	20,862 SF = 70 SPACES
	10,000 SF = 34 SPACES
<b>MAXIMUM PARKING VARIANCE REQUEST:</b>	
RESTAURANT (11000 SF)	222 SPACES
RETAIL SHOPPING CENTER (10000 SF)	17,700 SF = 117 SPACES
DAYCARE CENTER (13000 SF)	3,162 SF = 11 SPACES
	10,000 SF = 34 SPACES
<b>VARIANCE REQUEST</b>	
SECTION 240.20.2 AND TABLE 240.1: TO INCREASE THE MAXIMUM NUMBER OF PARKING SPACES ALLOWED BY USING THE CODE MAXIMUM FREESTANDING RESTAURANT PARKING RATIO FOR THE PROPOSED MULTI-TENANT RESTAURANT SPACE.	

**2759 HAMILTON MILL RD ALTA - LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN PUCKETT'S GEORGIA MILITIA DISTRICT, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1' OPEN TOP PIPE AT A CONCRETE MONUMENT BEING THE SOUTHEASTERLY CORNER OF CASCADE FALLS SUBDIVISION, UNIT 4, RECORDED IN PLAT BOOK 92 PAGE 245, THENCE RUN NORTH 52 DEGREES 42 MINUTES 11 SECONDS EAST ALONG THE SOUTHERLY LINE OF CASCADE FALLS SUBDIVISION, UNIT 4, FOR A DISTANCE OF 250.57 FEET TO A FOUND 1/2" REBAR, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

THENCE LEAVING SAID SOUTHERLY LINE RUN SOUTH 41 DEGREES 41 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 371.06 FEET TO A FOUND 1/4" REBAR IN A 1x12" OPEN TOP PIPE, THENCE RUN SOUTH 17 DEGREES 53 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 208.06 FEET TO A FOUND 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF HAMILTON MILL ROAD (VARIABLE RIGHT-OF-WAY); THENCE RUN NORTH 63 DEGREES 11 MINUTES 18 SECONDS WEST ALONG SAID RIGHT-OF-WAY FOR A DISTANCE OF 64.74 FEET TO A POINT, THENCE RUN NORTH 61 DEGREES 54 MINUTES 28 SECONDS WEST AS ALONG SAID RIGHT-OF-WAY FOR A DISTANCE OF 353.13 FEET TO A FOUND 1/2" REBAR, THENCE LEAVING SAID RIGHT-OF-WAY RUN NORTH 39 DEGREES 41 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 634.99 FEET TO A FOUND 1" OPEN TOP PIPE ON THE SOUTHERLY LINE OF THE AFOREMENTIONED SUBDIVISION LINE OF CASCADE FALLS, THENCE RUN SOUTH 52 DEGREES 42 MINUTES 37 SECONDS EAST ALONG SAID SUBDIVISION LINE FOR A DISTANCE OF 344.97 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 212,203 SQUARE FEET OR 4.872 ACRES.



**Kimley»Horn**

3930 EAST JONES BRIDGE ROAD, SUITE 350 PEACHTREE CORNERS, GEORGIA 30092 PHONE: (770) 825-0744 | www.kimley-horn.com

TITLE: **VARIANCE PLAN**

PROJECT: **2759 HAMILTON MILL RD  
GWINNETT COUNTY, GA**

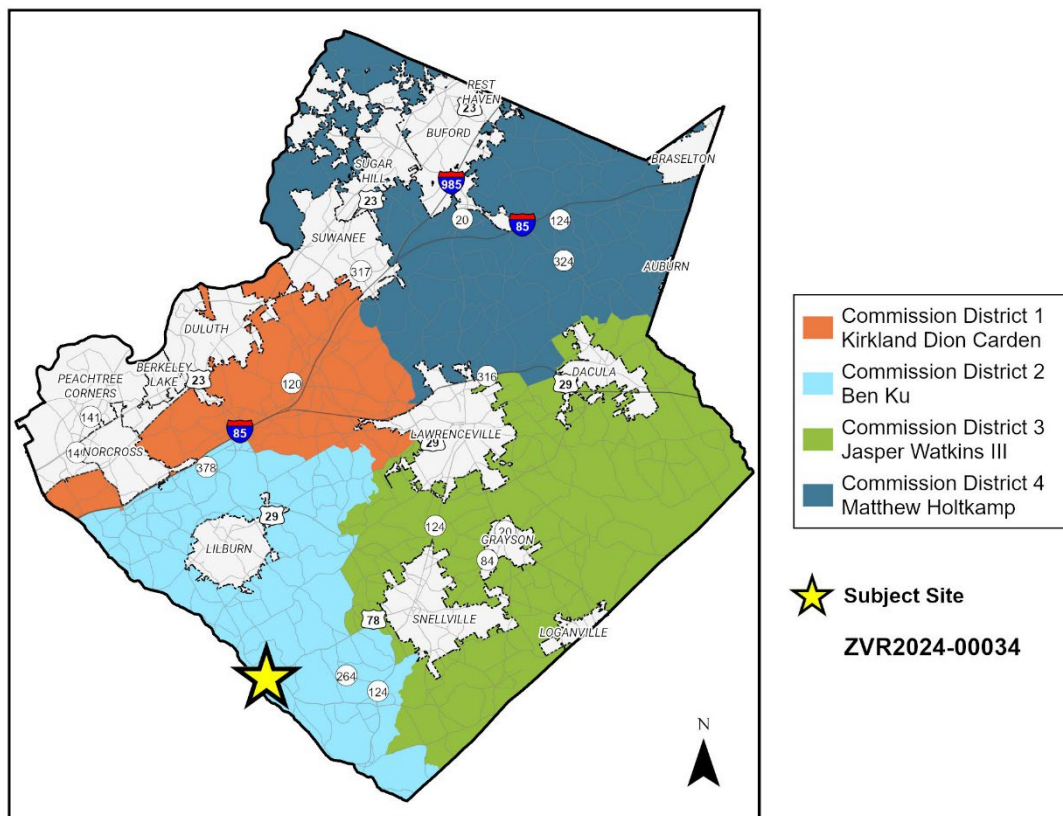
CLIENT: **DIMENSION  
DEVELOPMENT PARTNERS, LLC**

JOB NUMBER: 014021021  
SCALE: 1" = 100'  
DATE: 03/13/2024  
SHEET: **VAR. PLAN**

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, IS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED, REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC. COPYRIGHT KIMLEY-HORN AND ASSOCIATES, INC., 2017

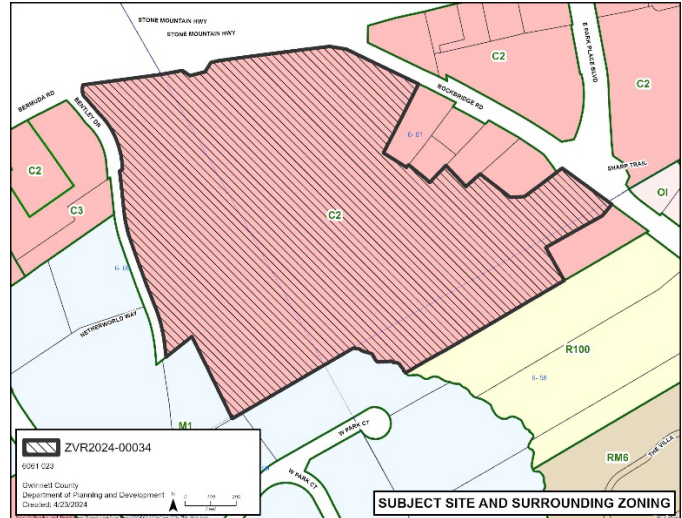
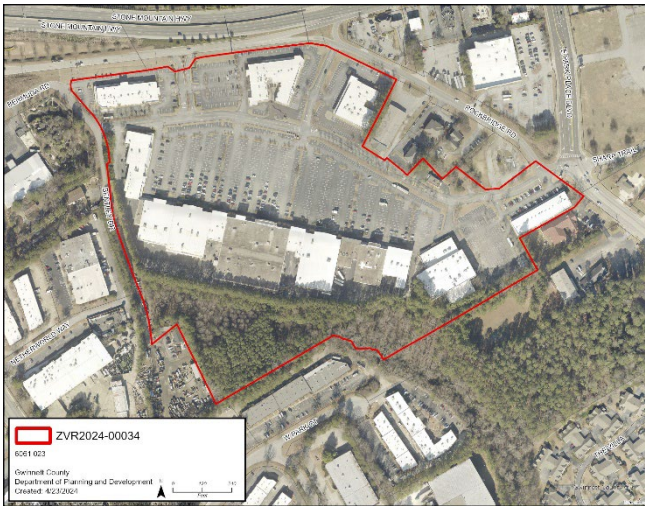
## ZONING BOARD OF APPEALS CASE REPORT

**Case Number:** ZVR2024-00034  
**Request:** Variance for a second primary ground sign  
**Address:** 5370 Stone Mountain Highway  
**Map Number:** R6061 023  
**Site Area:** 38.64 acres  
**Proposed Development:** Ground Sign  
**Applicant:** Behnaz Motlagh  
**Owner:** Jacob Sedgh  
**Contact Information:** Behnaz Motlagh, 770.993.0200  
**Commission District:** District 2 – Commissioner Ku/Graham



## Existing Site Conditions

The subject site is a 38.64-acre property located at the intersection of Stone Mountain Highway and Rockbridge Road. The subject property is zoned C-2 (General Business District). The property contains a one-story concrete and brick multi-tenant shopping center with several outparcel commercial buildings and large surface parking lot.

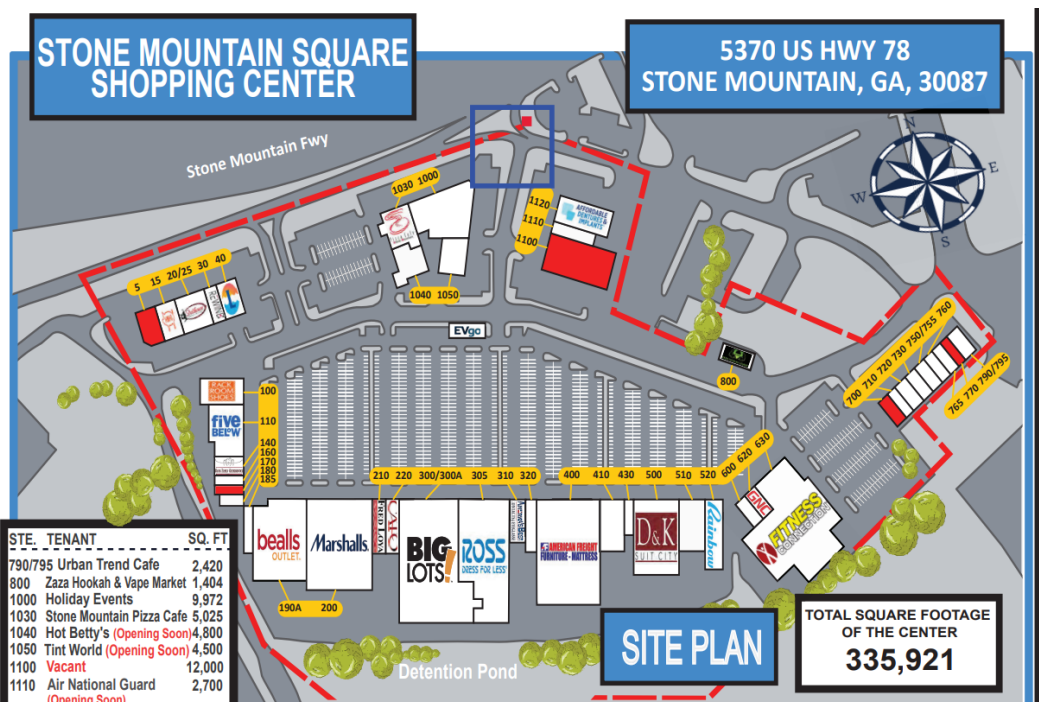


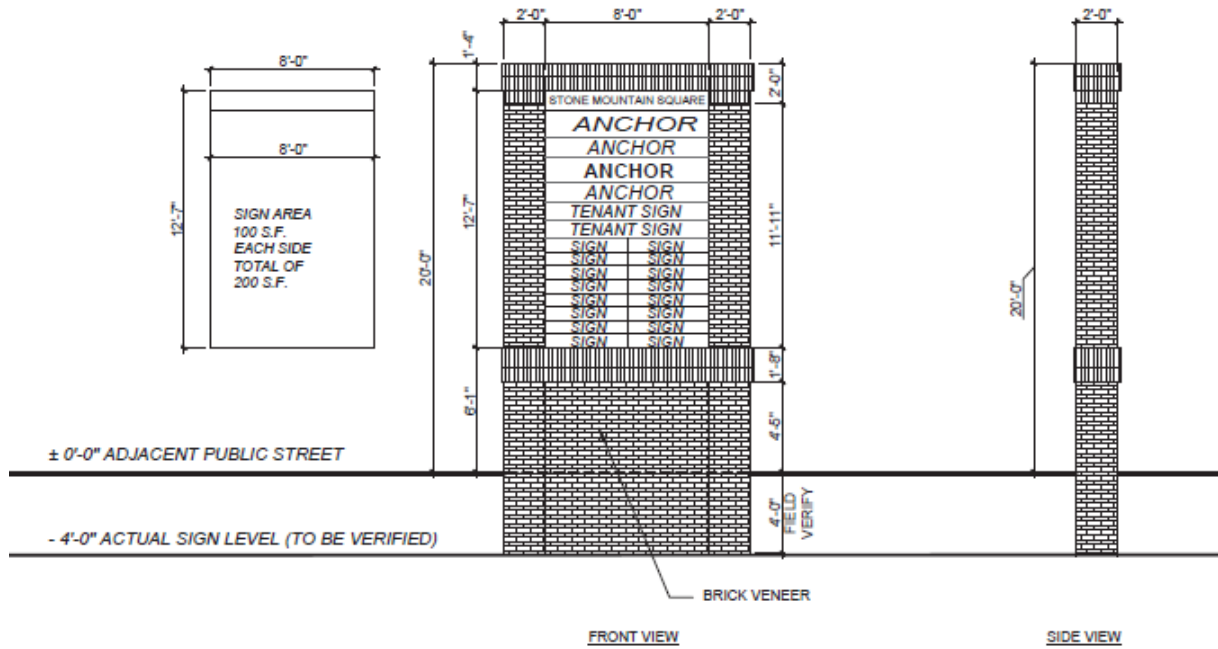
## Project Summary

The applicant proposes a ground sign including:

- A 20-foot-tall, 10-foot-wide free standing brick sign with 24 businesses listed located at the intersection of Rockbridge Road and Stone Mountain Highway.

STE.	TENANT	SQ. FT.
5	Restaurant - Vacant	2,990
15	Honey Baked Ham Co.	3,060
20/25	Dollhouse Dance Factory	6,580
30	Rewind Bistro & Lounge	2,540
40	Leslie's Pool Mart	4,000
100	Rack Room Shoes	5,000
110	Five Below	8,859
140	Orthodontic Centers	2,600
160	Diamond Nails	1,105
170	Vacant	1,235
180	Priceless Closet Boutique	1,260
185	Hillendell Medical Training	2,501
190A	Bealls Outlet	20,230
200	Marshalls	27,000
210	Fred Loya Insurance	2,500
220	Cato	4,000
300/300A	Big Lots	34,751
305	Ross Dress for Less	30,187
310	America's Best Contact	3,200
320	Butts and Ashes	2,500
400	American Freight Furniture	32,000
410	Apple Beauty Supply	6,000
430	Tamieka Beauty Palace	1,300
500	D&K Suit City	15,930
510	Reveal Salon Suites	6,007
520	Rainbow	5,600
600	Guac Taco Studio	2,400
620	GNC	1,250
630	Fitness Connection	37,905
700	Restaurant - Vacant	1,920
710	F&N Alterations, LLC	895
720	Royal Me Locs	2,110
730	Boone Clinic Chiropractor	1,500
750/755	So Aesthetic Beauty Bar	2,625
760	Rozay's Boutique	1,000
765	Foo Hair Salon	1,300





1 PROPOSED NEW SIGN - INTERSECTION OF ROCKBRIDG RD. & ROCKBRIDGE SW.  
 1/4" = 1'-0"



## **Variance Request**

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow an additional primary ground sign.

**Section 78-113A.5:** One sign per road frontage not to exceed maximum allowable square footage.

## **Staff Recommended Conditions**

Should the Zoning Board of Appeals choose to approve the variance request, staff recommends the following conditions of approval:

1. The ground sign and ground sign location shall be in general conformance with the site plan and sign elevation detail received April 16, 2024.

## **Exhibit: Application**





GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
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4/16/2024

### VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

**Property Information:**

Property Address: 5370 U.S. Hwy 78, Stone Mountain, Georgia - GA 30087 Property Parcel ID: R6061 023

Variance(s) Requested: Secondary primary sign at the intersection of two road frontages

Unified Development Ordinance (UDO) Code Section(s): 78-113A.5

Sign Ordinance Code Section(s): \_\_\_\_\_

**Applicant Information:**

Name: Behnaz Motlagh

Contact Person: Behnaz Motlagh

Mailing Address: 135 Mansell Pl. Suite 304

City, State, Zip Code: Roswell, Ga. 30076

Phone Number: 770-993-0200 Email Address: bmotlagh@mimardesign.com

Applicant is (check, if applicable): [ ] Property Owner [x] Owner's Agent

**Property Owner Information** (if property owner is not the applicant):

Name: Jacob Sedgh

Telephone Number: 917-288-0049 Email Address: jsedgh1@hotmail.com

**Signatures:**

Applicant Signature: Behnaz Motlagh Property Owner Signature: Jacob Sedgh

Name of Applicant: Behnaz Motlagh Name of Property Owner: Jacob Sedgh

Date: 02-06-2024 Date: 04/15/2024



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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4/16/2024

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Letter of Intent

**March 11, 2024**

Gwinnett County Planning & Zoning

Re: Stone Mountain Square Shopping Center  
Proposed new ground sign  
5370 U.S. 78, Stone Mountain,  
Georgia - GA 30087

On Behalf of property Owner "Jacob Sedgh" With this letter of intent, we are requesting a variance from code section **78-113A.5**, for a new free-standing ground sign on this center.

Proposed sign would be 20' high 2' wide with 20' setback from property line. It's suggested location is at the intersection of two adjacent roads.

New Sign Material would consist of brick veneer to match the existing center, architectural brick soldier courses on top & middle. The actual proposed location is about 4' below the street level & which is considered in the new sign design.

There are 8 separate buildings with total of 332,437 sq. ft. of space & approx.. 55 tenants. Considering some of the tenants are anchor retailers such as Marshalls, Ross & Big lots and with many of other tenants, there is a certain lack of signage space which will make it difficult for Landlord to finalize the lease. 'Adding the fact that most of the buildings are approx. 750' away from road frontage which makes the wall signs problematic to capture view and attention of customers. Also, there are outparcels in front of the center which are blocking the view to center & wall signs.

The landlord is bringing many Anchor retailers and a lot of new retails, restaurants & activity to the center which is important for the health of this community.  
Considering all these aspects, there is a genuine & actual need to have additional free- standing sign to the center to provide numerous tenant's signs.  
This will help to revitalize the center and fulfil it with more tenants and livelihood of the area which in turn will bring more Tax to the county.  
Please let me know with any questions.

Respectfully

*Behnaz D. Motlagh*  
International Assoc. AIA

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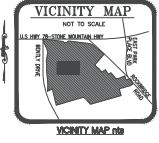
**Standards for Granting Variances:**

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: Total Existing sign area is small for the size of the buildings & no. of tenants.  
\_\_\_\_\_  
\_\_\_\_\_
  
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: Yes. There are 8 separate buildings in this shopping center with many tenants . lack of enough sign space is making leasing very difficult.  
\_\_\_\_\_  
\_\_\_\_\_
  
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: No  
\_\_\_\_\_  
\_\_\_\_\_
  
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: No  
\_\_\_\_\_  
\_\_\_\_\_
  
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: No. Proposed new sign in with in the property boundary line.  
\_\_\_\_\_  
\_\_\_\_\_
  
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes  
\_\_\_\_\_  
\_\_\_\_\_
  
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes  
\_\_\_\_\_  
\_\_\_\_\_

**GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT**  
  
**RECEIVED**  
  
**4/16/2024**

**ZONING NOTES**  
**C-2 GENERAL BUSINESS DISTRICT**  
 SETBACKS:  
 FRONT FROM RIGHT OF WAY - 15 FEET  
 SIDE - 10 FEET  
 REAR - 5'  
  
 (OBTAINED FROM GLOBAL ZONING  
 REPORT-PROJECT #1405 DATED MARCH 23,  
 2023)  
  
**HEIGHT RESTRICTIONS**  
 MAXIMUM BUILDING HEIGHT: 45 FEET  
 ALL BUILDING HEIGHTS AND  
 SETBACKS ARE IN COMPLIANCE  
  
**PARKING STALLS**  
 MINIMUM: 1,700 SF (332,437,700-445)  
 MAXIMUM: 1,000 SF (332,437,700-445)  
 TOTAL PARKING SPACES - 1694  
 (DIVIDED BY 35 SPACES)  
 INCLUDING:  
 REGULAR - 850 SPACES  
 HANDICAPPED - 44 SPACES  
 THE MINIMUM PARKING SPACE  
 REQUIREMENTS ARE MET



**LAND AREA**  
 TOTAL AREA = 38.488 ACRES  
 0.346226 ± ±  
 D.U. 5004 ± ± (517 PARCELS) = 0.868 ACRES  
 C-1-1 - (507 PARCELS) = 0.949 ACRES

**MIMAR**  
 ARCHITECTURE & DESIGN, INC.  
 150 MANVELL PL. SUITE 304  
 ROSWELL, GA 30076  
 PH (770) 993-0200  
 info@mimararch.com

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PROJECT TITLE  
**PERMIT &  
 CONSTRUCTION  
 DOCUMENTS**

PROPOSED NEW  
**FREESTANDING  
 GROUND SIGN**

**STONE MOUNTAIN  
 SQUARE  
 SHOPPING CENTER**

5370 STONE MOUNTAIN HIGHWAY  
 STONE MOUNTAIN, GA 30087

DRAWING TITLE

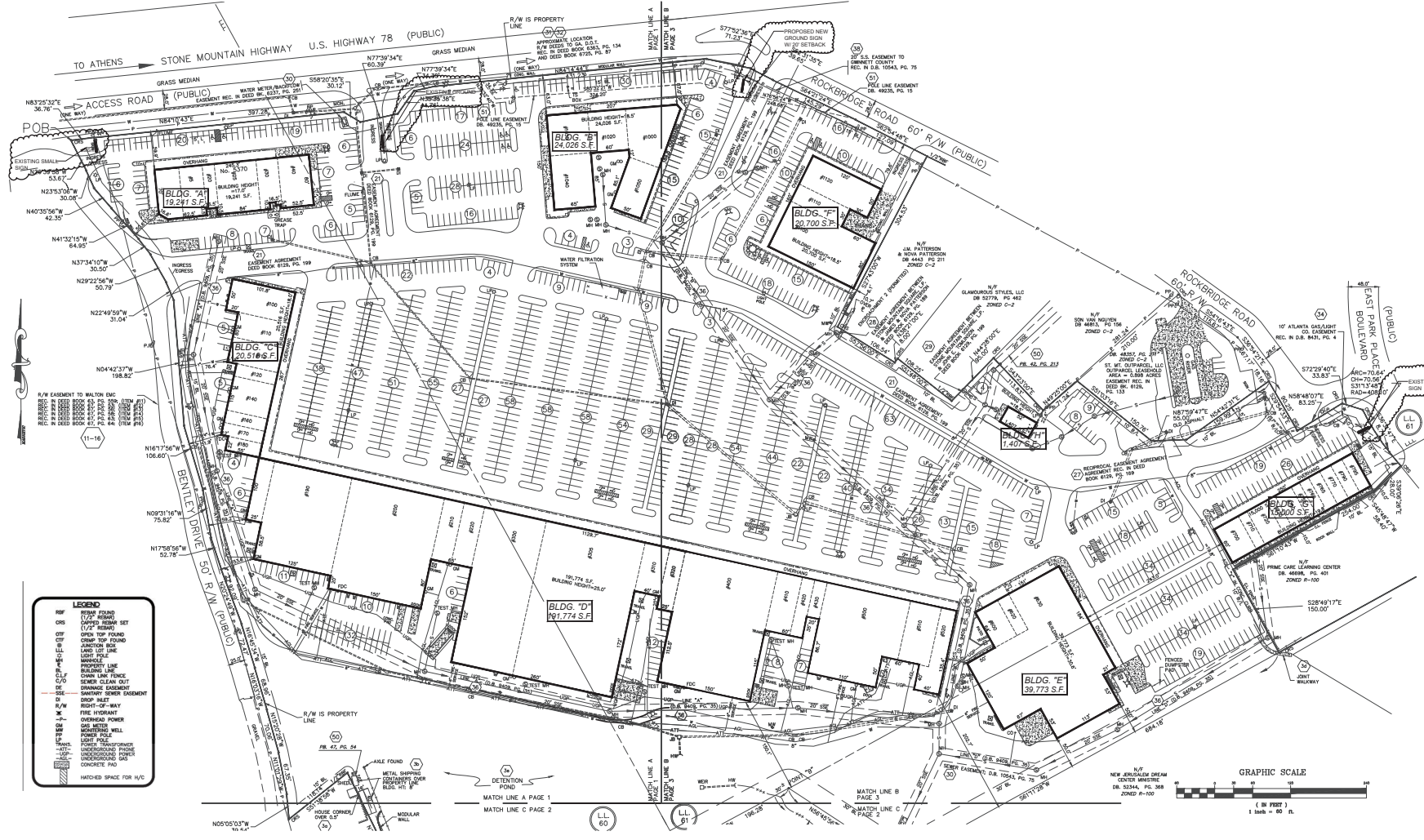
EXISTING SITE  
 SURVEY

REVISIONS

NO.	DATE	DESCRIPTION

RELEASED FOR CONSTRUCTION

FILE NAME:  
 JOB NO.: 24124  
 START DATE:  
 SUBMITTAL DATE: 03-11-2024  
 DRAWING NUMBER:  
**SC-01**



1 SITE SURVEY - EXISTING  
 NTS

**RECEIVED**

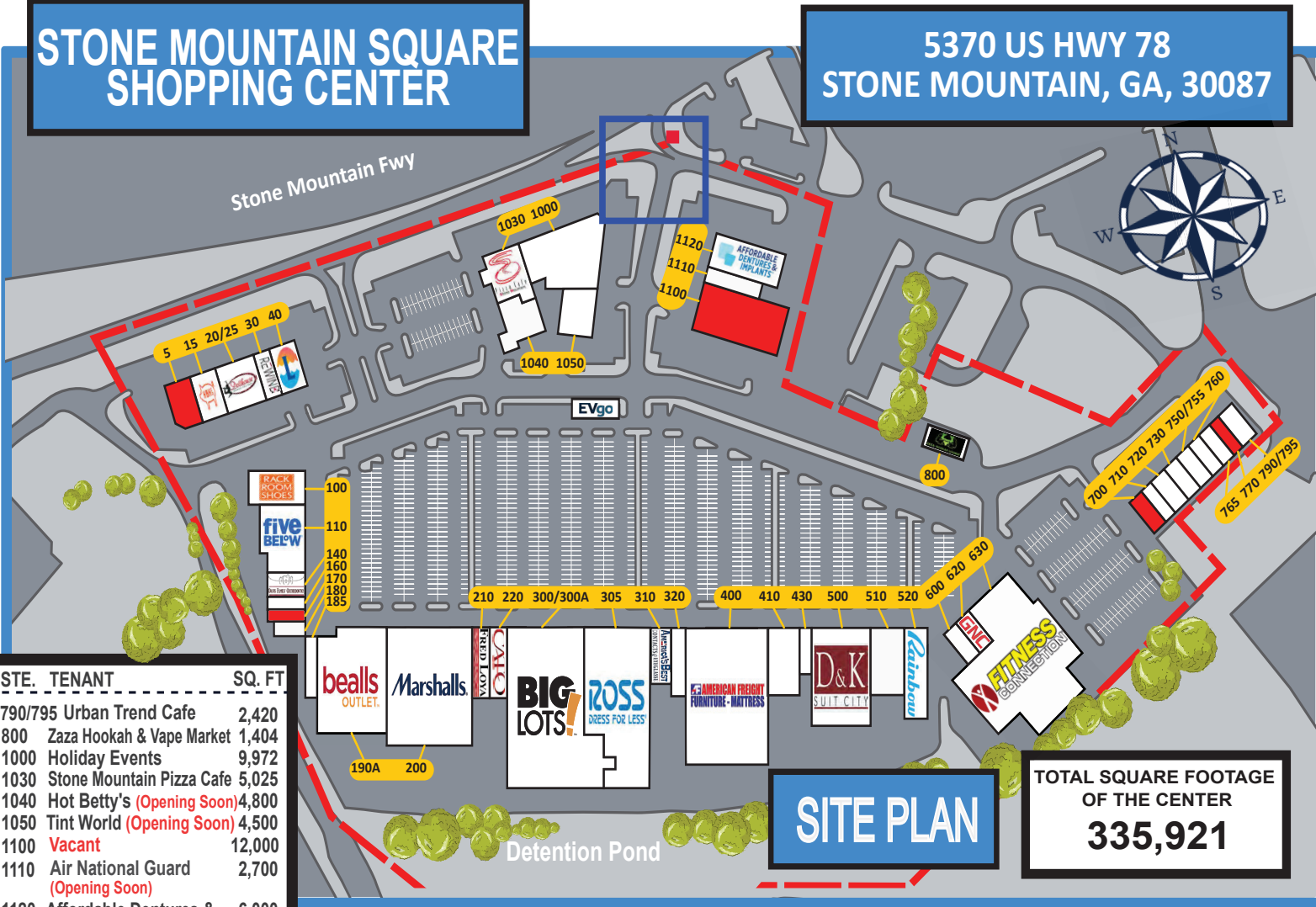
4/16/2024

# STONE MOUNTAIN SQUARE SHOPPING CENTER

5370 US HWY 78  
STONE MOUNTAIN, GA, 30087

STE.	TENANT	SQ. FT.
5	Restaurant - Vacant	2,990
15	Honey Baked Ham Co.	3,060
20/25	Dollhouse Dance Factory	6,580
30	Rewind Bistro & Lounge	2,540
40	Leslie's Pool Mart	4,000
100	Rack Room Shoes	5,000
110	Five Below	8,859
140	Orthodontic Centers	2,600
160	Diamond Nails	1,105
170	Vacant	1,235
180	Priceless Closet Boutique	1,260
185	Hillendell Medical Training	2,501
190A	Bealls Outlet	20,290
200	Marshalls	27,000
210	Fred Loya Insurance	2,500
220	Cato	4,000
300/300A	Big Lots	34,751
305	Ross Dress for Less	30,187
310	America's Best Contact	3,200
320	Butts and Ashes	2,500
400	American Freight Furniture	32,000
410	Apple Beauty Supply	6,000
430	Tamieka Beauty Palace	1,300
500	D&K Suit City	15,930
510	Reveal Salon Suites	6,007
520	Rainbow	5,600
600	Guac Taco Studio	2,400
620	GNC	1,250
630	Fitness Connection	37,905
700	Restaurant - Vacant	1,920
710	F&N Alterations, LLC	895
720	Royal Me Locs	2,110
730	Boone Clinic Chiropractor	1,500
750/755	So Aesthetic Beauty Bar	2,625
760	Rozay's Boutique	1,000
765	Foo Hair Salon	1,300
770	Vacant	1,200

STE.	TENANT	SQ. FT.
790/795	Urban Trend Cafe	2,420
800	Zaza Hookah & Vape Market	1,404
1000	Holiday Events	9,972
1030	Stone Mountain Pizza Cafe	5,025
1040	Hot Betty's (Opening Soon)	4,800
1050	Tint World (Opening Soon)	4,500
1100	Vacant	12,000
1110	Air National Guard (Opening Soon)	2,700
1120	Affordable Dentures & Implants	6,000

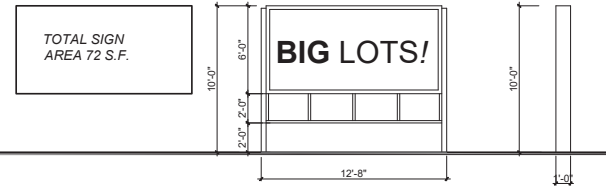


## SITE PLAN

TOTAL SQUARE FOOTAGE  
OF THE CENTER  
**335,921**

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4/16/2024



3 FREESTANDING SIGN - BENTLEY DRIVE SW  
1/4" = 1'-0"

**MIMAR**  
ARCHITECTURE & DESIGN, INC.  
150 MANSELL PL, SUITE 304  
ROSWELL, GA 30075  
PH: (770) 993-0200  
info@mimarad.com

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PROJECT TITLE  
PERMIT &  
CONSTRUCTION  
DOCUMENTS

PROPOSED NEW  
FREESTANDING  
GROUND SIGN

STONE MOUNTAIN  
SQUARE  
SHOPPING CENTER

5370 STONE MOUNTAIN HIGHWAY  
STONE MOUNTAIN, GA 30087

DRAWING TITLE

EXISTING SIGNS

REVISIONS

NO.	DATE	DESCRIPTION

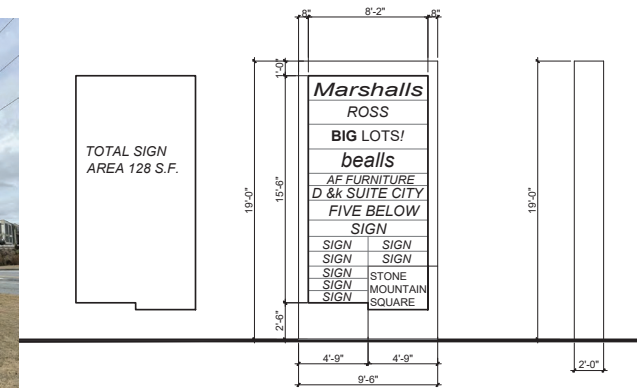
RELEASED FOR  
CONSTRUCTION

FILE NAME:  
JOB NO.: 24124  
START DATE:  
SUBMITTAL DATE: 03-11-2024  
DRAWING NUMBER

A-101

SITE SIGN INDEX	SIGN AREA	REMARKS
US HWY 78	128 SQ. FT.	
ROCKBRIDGE RD.	128 SQ. FT.	
BENTLEY DRIVE SW	72 SQ. FT.	
TOTAL EXISTING	256 SQ. FT.	

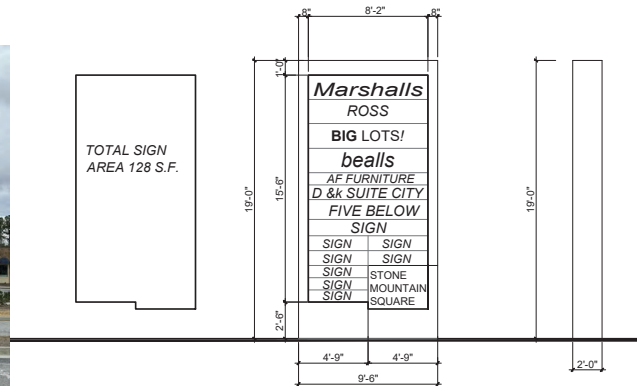
4 SITE SIGNS TOTAL



2 FREE STANDING SIGN- ROCKBRIDGE RD.  
1/4" = 1'-0"

BUILDING INDEX	AREA	NO. OF TENANTS
BLDG. "A"	19,241 SQ. FT.	6
BLDG. "B"	24,026 SQ. FT.	5
BLDG. "C"	20,516 SQ. FT.	8
BLDG. "D"	191,774 SQ. FT.	16
BLDG. "E"	39,773 SQ. FT.	3
BLDG. "F"	20,700 SQ. FT.	3
BLDG. "G"	15,000 SQ. FT.	12
BLDG. "H"	1,407 SQ. FT.	1
TOTAL	332,437 SQ. FT.	54

5 TOTAL SITE SQ. FOOTAGE



1 FREE STANDING SIGN- US HWY 78  
1/4" = 1'-0"

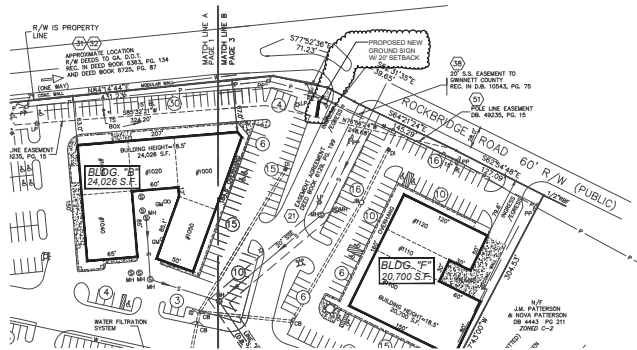
RECEIVED

4/16/2024

SITE SIGN INDEX	SIGN AREA	SETBACK	SIGN DIMENSIONS
ROCKBRIDGE RD. & ROCKBRIDGE SW	100 SQ. FT. EACH FACE	20'	20' H. 2' W.
TOTAL PROPOSED	200 SQ. FT.		

BUILDING INDEX	AREA	NO. OF TENANTS
BLDG. "A"	19,241 SQ. FT.	6
BLDG. "B"	24,026 SQ. FT.	5
BLDG. "C"	20,516 SQ. FT.	8
BLDG. "D"	191,774 SQ. FT.	16
BLDG. "E"	39,773 SQ. FT.	3
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BLDG. "G"	15,000 SQ. FT.	12
BLDG. "H"	1,407 SQ. FT.	1
TOTAL	332,437 SQ. FT.	54

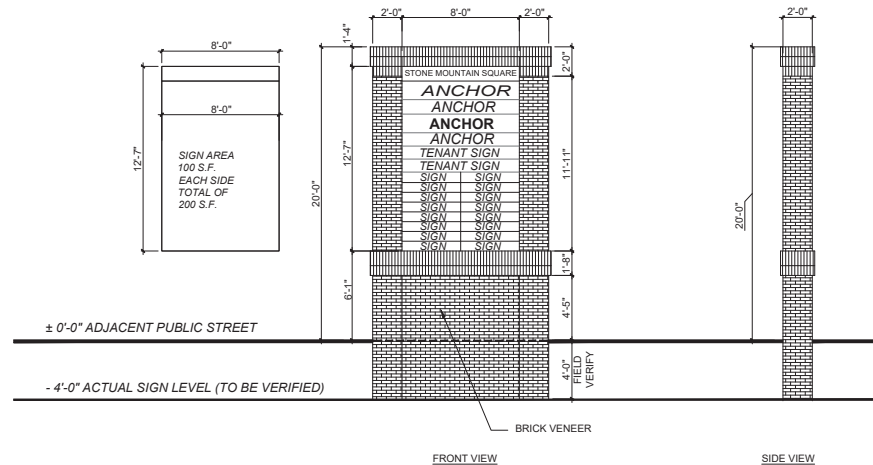
3 TOTAL SITE SQ. FOOTAGE OF SHOPPING CENTER



2 PROPOSED SIGN LOCATION



PROPOSED SIGN LOCATION



1 PROPOSED NEW SIGN - INTERSECTION OF ROCKBRIDGE RD. & ROCKBRIDGE SW.

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ARCHITECTURE & DESIGN, INC.

135 MANSELL PL, SUITE 304  
ROSWELL, GA 30076  
PH: 4778-9552/5555  
info@mimarad.com

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PROJECT TITLE  
PERMIT &  
CONSTRUCTION  
DOCUMENTS

PROPOSED NEW  
FREESTANDING  
GROUND SIGN

STONE MOUNTAIN  
SQUARE  
SHOPPING CENTER

5370 STONE MOUNTAIN HIGHWAY  
STONE MOUNTAIN, GA 30087

DRAWING TITLE

PROPOSED NEW  
FREE STANDING  
SIGN

REVISIONS

NO.	DATE	DESCRIPTION

RELEASED FOR  
CONSTRUCTION

FILE NAME:

JOB NO.: 24124

START DATE:

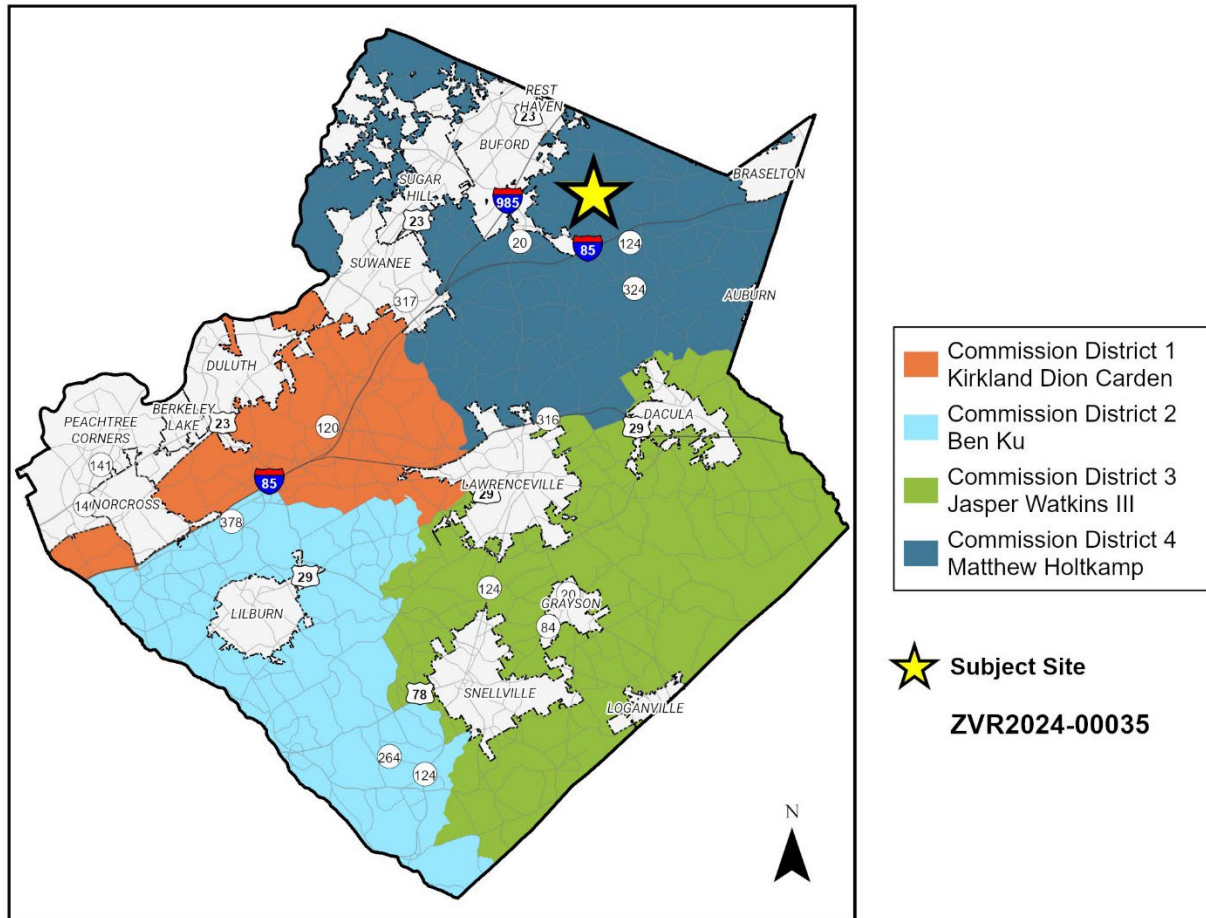
SUBMITTAL DATE: 03-11-2024

DRAWING NUMBER

A-102

## ZONING BOARD OF APPEALS CASE REPORT

**Case Number:** ZVR2024-00035  
**Request:** Variance from maximum fence height standard  
**Address:** 2900 Still Meadows Way  
**Map Number:** R7180 038  
**Site Area:** 1.01 acres  
**Proposed Development:** Fence  
**Applicant, Owner:** Nina Marx  
**Contact Information:** Nina Marx, 678.707.9238  
**Commission District:** District 4 – Commissioner Holtkamp/Rumbaugh





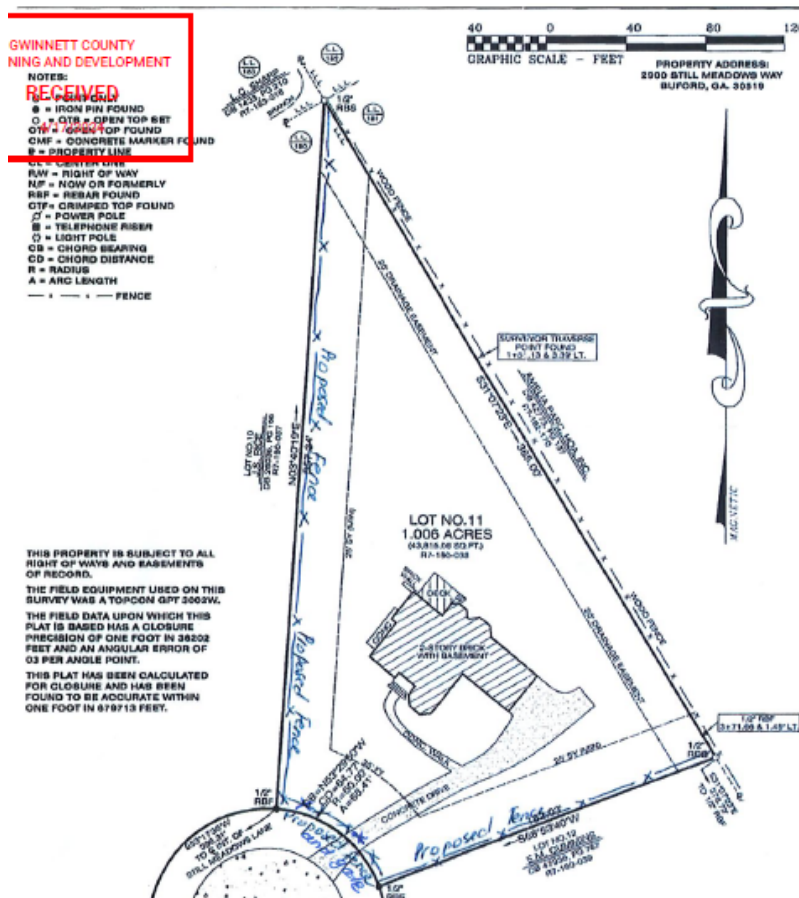
## Existing Site Conditions

The subject site is a 1.01-acre property located on Still Meadows Way, west of the Amelia Park Subdivision in the Still Meadows Subdivision. The subject property is zoned R-140 (Single Family-Residence District). The property contains a two-story residence. The subject site is surrounded by single-family detached residences.



## Project Summary

The applicant proposes to build a 6-foot-tall fence and gate around the property including within the front yard setback.





## Variance Request

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to exceed the maximum allowed height for a fence in the front yard setback by 2 feet, resulting in a 6-foot-tall fence.

**Section 230-80.1:** Height of Fencing. No fence shall exceed 4 feet in height within a required front yard setback.

## Staff Recommended Conditions

Should the Zoning Board of Appeals choose to approve the variance request, staff recommends the following conditions of approval:

1. The fence shall be located in general accordance with the site plan dated received April 11, 2024.
2. The fence shall be made of decorative aluminum or iron along the street frontage.

## Exhibit: Application



VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

Property Information:

Property Address: 2900 Still Meadows Way Buford, GA 30519 Property Parcel ID: R 7180 038 Variance(s) Requested: Variance from the fence standard Unified Development Ordinance (UDO) Code Section(s): 230.80.1

Sign Ordinance Code Section(s):

Applicant Information:

Name: Nina Marx Contact Person: Nina Marx Mailing Address: 2900 Still Meadows Way City, State, Zip Code: Buford, GA 30519 Phone Number: 678-707-9238 Email Address: nmarx@marx.com

Applicant is (check, if applicable): [X] Property Owner [ ] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: Telephone Number: Email Address:

Signatures:

Applicant Signature: [Signature] Property Owner Signature: [Signature] Name of Applicant: Nina Marx Name of Property Owner: Nina Marx Date: 4 April 2024 Date: 4 April 2024

**GWINNETT COUNTY  
PLANNING AND DEVELOPMENT**

NOTES:

**RECEIVED**  
4/1/2014

- = IRON PIN FOUND
- = OTS = OPEN TOP SET
- = OTF = OPEN TOP FOUND
- CMF = CONCRETE MARKER FOUND
- R = PROPERTY LINE
- CL = CENTER LINE
- R/W = RIGHT OF WAY
- N/F = NOW OR FORMERLY
- RBF = REBAR FOUND
- CTF = CRIMPED TOP FOUND
- ⊙ = POWER POLE
- ⊠ = TELEPHONE RISER
- ⊙ = LIGHT POLE
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- R = RADIUS
- A = ARC LENGTH
- x --- FENCE



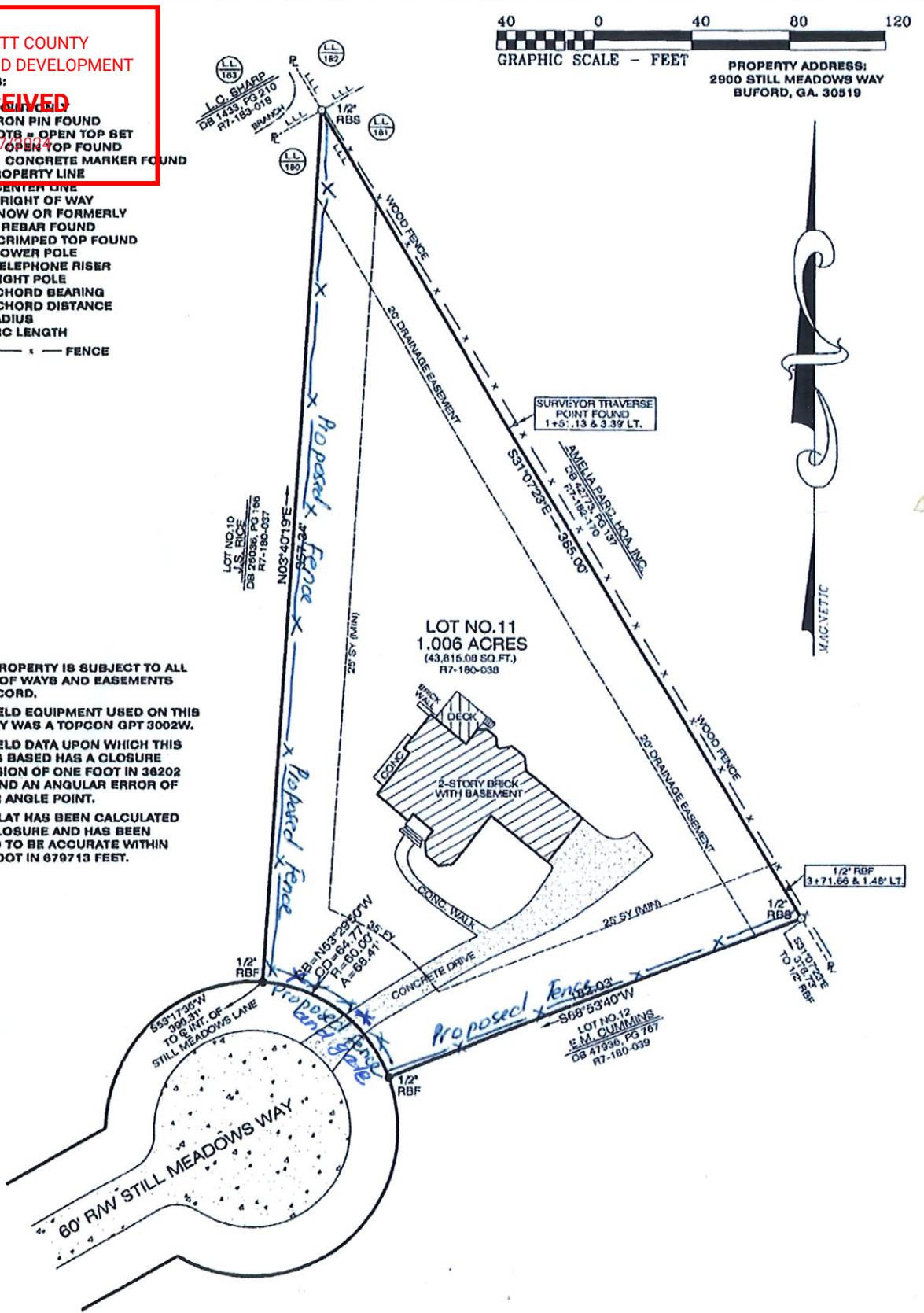
PROPERTY ADDRESS:  
2900 STILL MEADOWS WAY  
BUFORD, GA. 30519

THIS PROPERTY IS SUBJECT TO ALL  
RIGHT OF WAYS AND EASEMENTS  
OF RECORD.

THE FIELD EQUIPMENT USED ON THIS  
SURVEY WAS A TOPCON GPT 3002W.

THE FIELD DATA UPON WHICH THIS  
PLAT IS BASED HAS A CLOSURE  
PRECISION OF ONE FOOT IN 36202  
FEET AND AN ANGULAR ERROR OF  
03 PER ANGLE POINT.

THIS PLAT HAS BEEN CALCULATED  
FOR CLOSURE AND HAS BEEN  
FOUND TO BE ACCURATE WITHIN  
ONE FOOT IN 679713 FEET.



PLAT REF:  
DB 51366, PG 1  
PB 38, PG 115  
PB 45, PG 231  
TAX PARCEL ID:  
R7-180-038

SURVEYED BY:  
GEORGIA CIVIL, INC  
G. BRIAN SLATE, RLS#2629  
P.O. BOX 898  
MADISON, GEORGIA 30650  
P: 706.342.1104  
F: 706.342.1105  
C: 706-201-0998  
bslate@georgiacivil.com  
www.georgiacivil.com



**NINA MARX LIVING TRUST**

1.006 ACRES, LOT NO.11, BLOCK A	REVISIONS:
OF STILL MEADOWS	
IN LAND LOT 180 OF THE 7th DIST.	CC: GBS
GMD:	DRAWN BY: GBS
COUNTY: GWINNETT, GEORGIA	CHECKED BY: GBS
SURVEYED: MARCH 21, 2013	JOB #: 4882
SCALE: 1" = 40'	FILE #:

IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED  
AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS  
AND REQUIREMENTS OF LAW.

**gc**  
**georgia civil**  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
LAND SURVEYING

P.O. BOX 898  
Madison, GA 30650  
P: 706.342.1104  
F: 706.342.1105  
www.georgiacivil.com

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4/17/2024

**Nina Marx**  
2900 Still Meadows Way, Buford, GA 30519

Gwinnett County  
Department of Planning and Development  
446 West Crogan Street, Suite 300  
Lawrenceville, GA 30046-2440

Buford, April 4, 2024

To Whom it May Concern,

We are requesting a variance for the above address to seek relief of the required front yard fence height of 4 feet to 6 feet all the way around the property, including gates. Installing a 6' fence, aluminum or iron, will serve as a crucial deterrent and barrier, preventing unauthorized access from Amelia Parc, the neighborhood behind our backyard (related case CEU2022-02838). The trespassing incidents were captured on video and shared with the Ring community, highlighting the necessity of the fence in maintaining our safety.

Sincerely,



Nina Marx

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4/17/2024

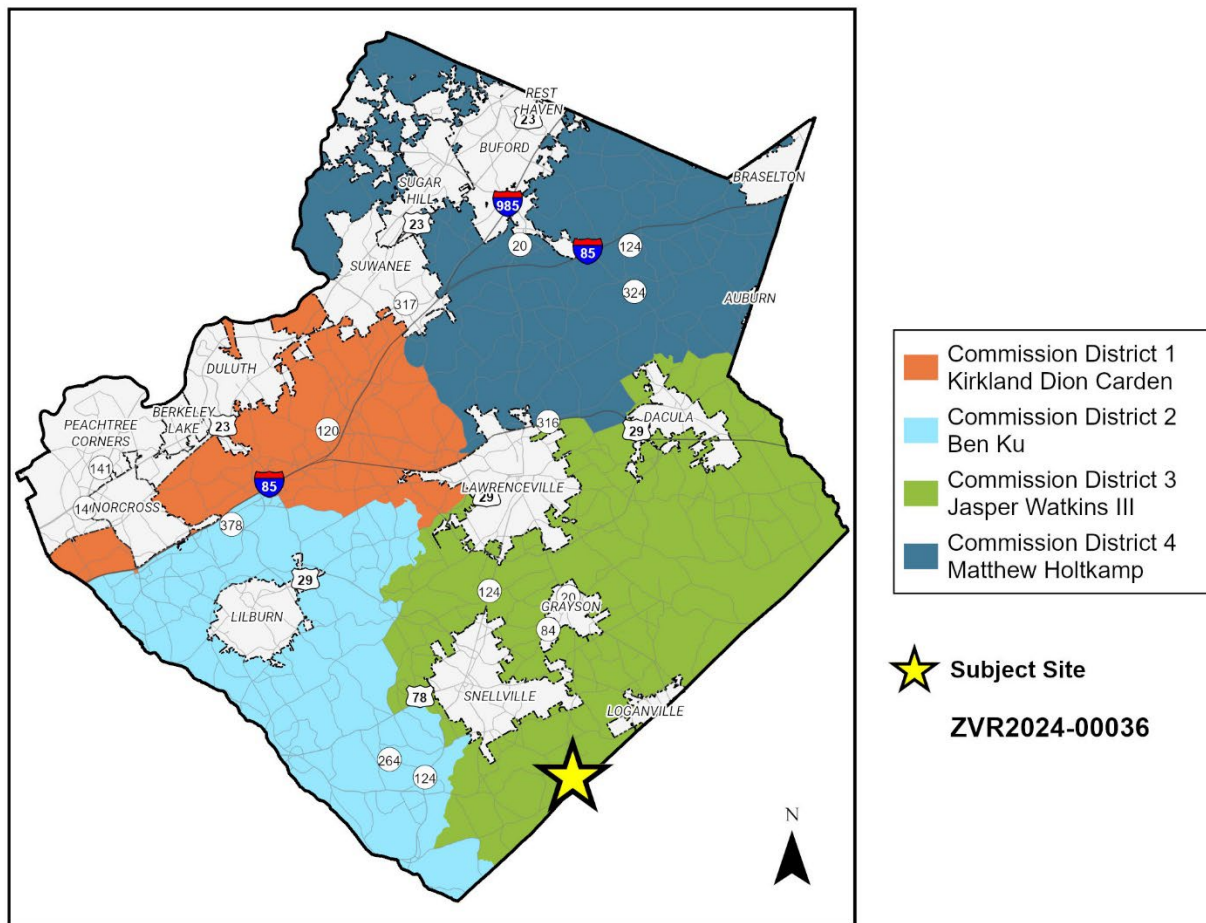
### Standards for Granting Variances:

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: This request is unique due to trespassing from Amelia Parc into our lot (CEU 2022-02838)
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: Yes, the trespassing from Amelia Parc site posed an unnecessary hardship to our lot and our neighborhood overall
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: It is my understanding, that the county has approved variances for similarly situated homes
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: Yes, the request is a result of condition with respect to UDO Code Section 230.80.1
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: Granting the variance would improve the neighborhood in many ways, as our lot would signal to the Amelia Parc trespassers to stop.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes

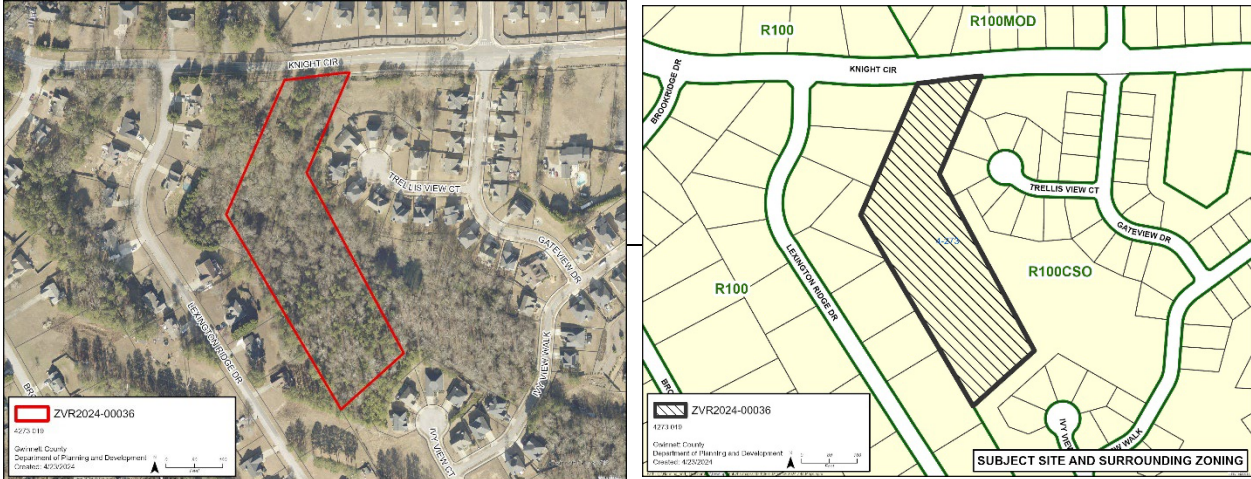
## ZONING BOARD OF APPEALS CASE REPORT

**Case Number:** ZVR2024-00036  
**Request:** Variance from minimum lot width standard  
**Address:** 1906 Knight Circle  
**Map Number:** R4273 019  
**Site Area:** 4.61 acres  
**Proposed Development:** Single-Family Subdivision (Two Lots)  
**Applicant:** Winston Simmonds c/o LJA Engineering  
**Owner:** Excelsior Investment Holdings LLC  
**Contact Information:** Tyler Lasser, 404.202.9321  
**Commission District:** District 3 – Commissioner Watkins/Timler



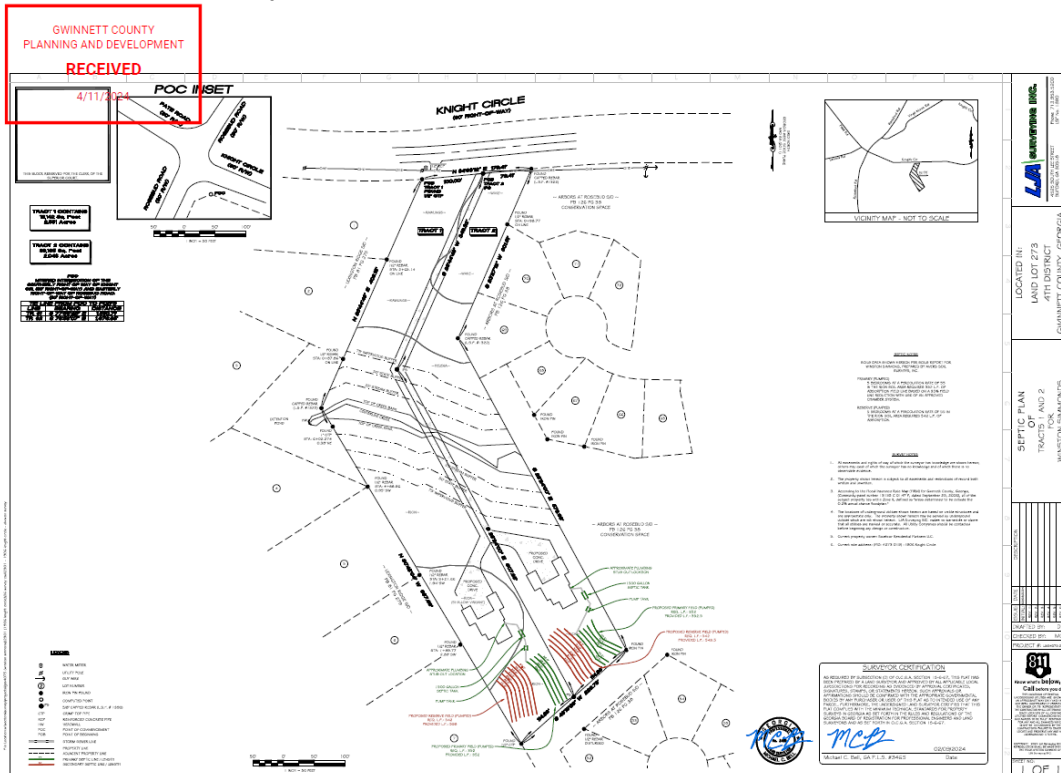
## Existing Site Conditions

The subject site is a 4.61-acre property located on Knight Circle, west of its intersection with Gateview Drive. The subject property is zoned R-100 (Single Family-Residence District). The property is undeveloped. The subject site is surrounded by single-family detached residences.



## Project Summary

The applicant proposes to subdivide the property into two single-family lots with lot widths of 79.41 feet and 100 feet. Each lot would contain a single-family residence located in the rear of the lots, past the stream that bisects the property.







### **Variance Request**

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow a 20.59-foot reduction in lot width on the first lot, resulting in a 79.41-foot-wide lot and a second lot that is 100 feet wide.

**Section 210-120:** Dimensional Standards for Base Residential Zoning Districts. R-100 minimum lot width is 100 feet.

### **Staff Recommended Conditions**

Should the Zoning Board of Appeals choose to approve the variance request, staff recommends the following conditions of approval:

1. The site shall be developed in general accordance with the site plan dated received April 11, 2024.

### **Exhibit: Application**

RECEIVED

4/11/2024

## VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

### Property Information:

Property Address: 1906 Knight Circle Property Parcel ID: 4273 019

Variance(s) Requested: Reduce lot width for one parcel (tract 2)

Unified Development Ordinance (UDO) Code Section(s): Section 210-120

Sign Ordinance Code Section(s): N/A

### Applicant Information:

Name: Winston Simmonds c/o LJA Engineering

Contact Person: Tyler Lasser

Mailing Address: 299 S. Main Street

City, State, Zip Code: Alpharetta, GA 30009

Phone Number: 470.202.9321 Email Address: tlasser@lja.com

Applicant is (check, if applicable): [ ] Property Owner [ ] Owner's Agent

### Property Owner Information (if property owner is not the applicant):

Name: EXCELSIOR INVESTMENT HOLDINGS LLC

Telephone Number: 470.202.9321 Email Address: tlasser@lja.com

### Signatures:

Applicant Signature: [Signature] Property Owner Signature: [Signature]

Name of Applicant: WINSTON SIMMONDS Name of Property Owner: WINSTON SIMMONDS

Date: 3/22/24 Date: 3/22/24

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4/11/2024

**Standards for Granting Variances:**

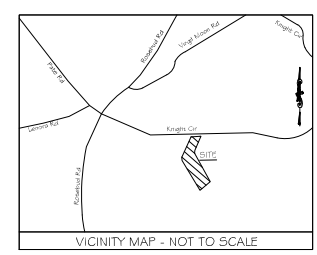
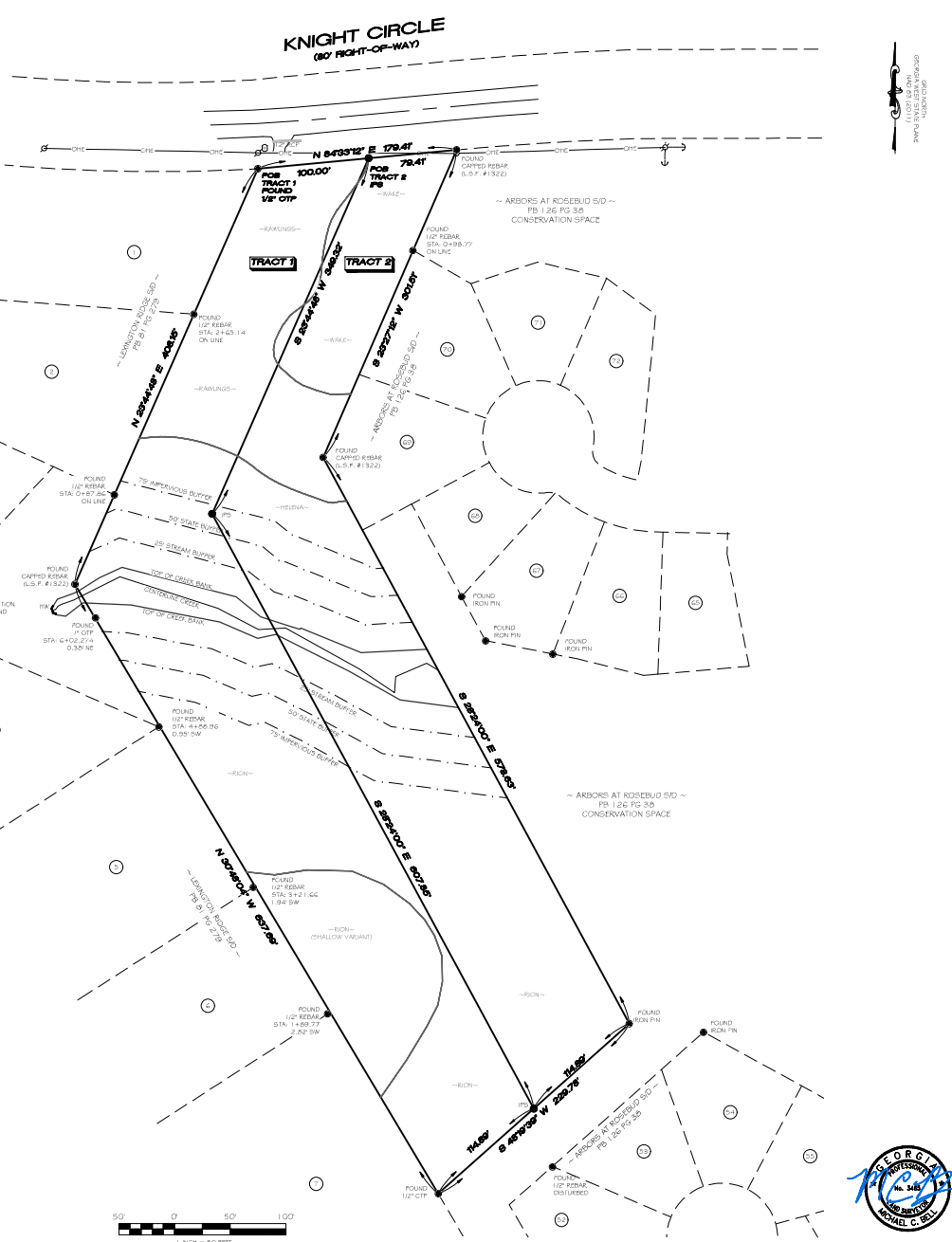
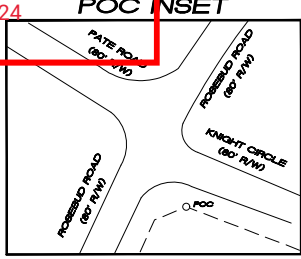
Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: Yes, this is a unique property with site constraints including streams, and a unique shape. As a result, there are limited options for development on the site.
- 
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: Yes, although the site widens to meet and exceed the lot width requirement of the zoning district, it is more narrow at the road frontage. Because of this and the stream, options for development are limited.
- 
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Yes, this is a unique property with site constraints. Further, it is too large to only be utilized for one single-family home.
- 
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: \_\_\_\_\_  
Yes, the requirement for lot width is required at the front setback. The widens significantly, but does not meet the requirement only 50 feet back.
- 
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: The variance will have no impact on the surrounding area. This will not result in an increase in allowed density or land use change.
- 
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes, this is the minimum variance necessary. Only one lot will require a variance, while the other lot will meet the lot width requirement.
- 
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: \_\_\_\_\_  
Yes, this will allow for two new single family homes without impacting density or the land use.
-

RECEIVED

4/11/2024

POC INSET



POC INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY ON KNIGHT OR (80' RIGHT-OF-WAY) AND WASTERLY RIGHT-OF-WAY OF ROSEBUD ROAD (80' RIGHT-OF-WAY)

LINE	BEARING	DISTANCE
TR 1	S 77°58'36" E	1,860.77
TR 2	S 78°58'07" E	1,678.59

COMBINED TRACT CONTAINS 200,557 Sq. Feet 4,599 Acres

TRACT 1 CONTAINS 200,557 Sq. Feet 4,599 Acres

TRACT 2 CONTAINS 204,852 Sq. Feet 4,692 Acres

LEGEND

- Water Meter
- Utility Pole
- 6" W. Pipe
- 12" W. Pipe
- Iron Pin Point
- Computed Point
- SURVEY CONTROL POINT (S.P. # 1320)
- CTP
- CRIMP TOP PIPE
- REINFORCED CONCRETE PIPE
- RESIDUAL
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- STREAM CENTER LINE
- PROPERTY LINE
- ADJACENT PROPERTY LINE



- SURVEY NOTES**
- All easements and rights of way of which the surveyor has knowledge are shown hereon, others may exist of which the surveyor has no knowledge and of which there is no appreciable evidence.
  - The property shown hereon is subject to all easements and restrictions of record both urban and suburban.
  - According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community number: 13335-01-017), dated September 29, 2000, all of the subject property is within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
  - The locations of underground utilities shown hereon are based on visible structures and are approximate only. The property shown hereon may be served by underground utilities which are not shown hereon. L&J Surveying, Inc., makes no warranty or claim that all utilities are marked or accurate. All Utility Companies should be contacted before beginning any street or construction.
  - North arrow and bearings shown hereon are based on GA West Zone - NAD83 adjusted 2011. Living Global Positioning System (GPS) was obtained by RTK observations on 10-23-2023 using the same Trimble System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
  - The field data upon which this plat is based has a closure precision of one foot in 17,221 feet and an angular error on DMS not over one angle point and was adjusted using the compass rule method.
  - This plat has been calculated for closure and is found to be accurate within one foot in 7,233.94 feet.
  - Equipment used for measurement:  
Analog Leica TS 16 Radioloc Total Station  
Leica Level 116 Radioloc Total Station  
GPS: Leica GS16 GPS Receiver
  - This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unsurveyed portion, persons, or entity named express written certification by the surveyor naming said person, persons, or entity.
  - State, County, and local laws and setbacks might exist on the subject property that are not shown hereon.
  - This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
  - There are 10 irretrievable evidence of human Burials or Condemns on Subject Property at the site of the field survey.
  - Advance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
  - Current property owner: Siddebur Residential Partners LLC.
  - Current site address: (MD) 4273 01 13 - 1906 Knight Circle

**SURVEYOR CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR APPROVATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL AGENCIES BY ANY PURCHASER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

*Michael C. Bell*  
Michael C. Bell, GA P.L.S. #3465 Date 02/09/2024

**L&J SURVEYING INC.**  
4855 SOUTH LEE INSET  
DURHAM, GA 30016  
Phone: 771.393.8320  
Cell: 771.393.8320

**LOCATED IN:**  
LAID LOT 273  
4TH DISTRICT  
GWINNETT COUNTY, GEORGIA

**SUBDIVISION PLAT**  
OF  
1906 KNIGHT CIRCLE  
FOR  
WINSTON SIMMONDS

DATE: 02/09/24  
SCALE: AS SHOWN  
DRAWN BY: DUB  
CHECKED BY: MCB  
PROJECT #: 1906-01-13

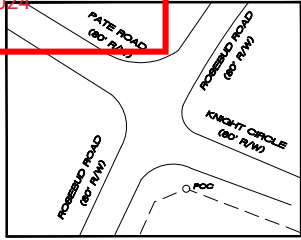
**811**  
Know what's below.  
Call before you dig.  
The locations of underground utilities are shown hereon for your information and are not intended to be used as a basis for excavation or construction. Call 811 or visit [www.811.com](http://www.811.com) to locate underground utilities. This plat does not constitute a warranty or guarantee of the accuracy of the information provided. The user assumes all liability for any damage or injury resulting from the use of this information. The user agrees to hold L&J Surveying, Inc. harmless from any and all claims, damages, or liabilities, including reasonable attorneys' fees, arising from the use of this information.

SHEET NO: 1 OF 1

RECEIVED

4/11/2024

POC INSET

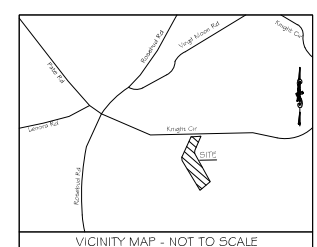
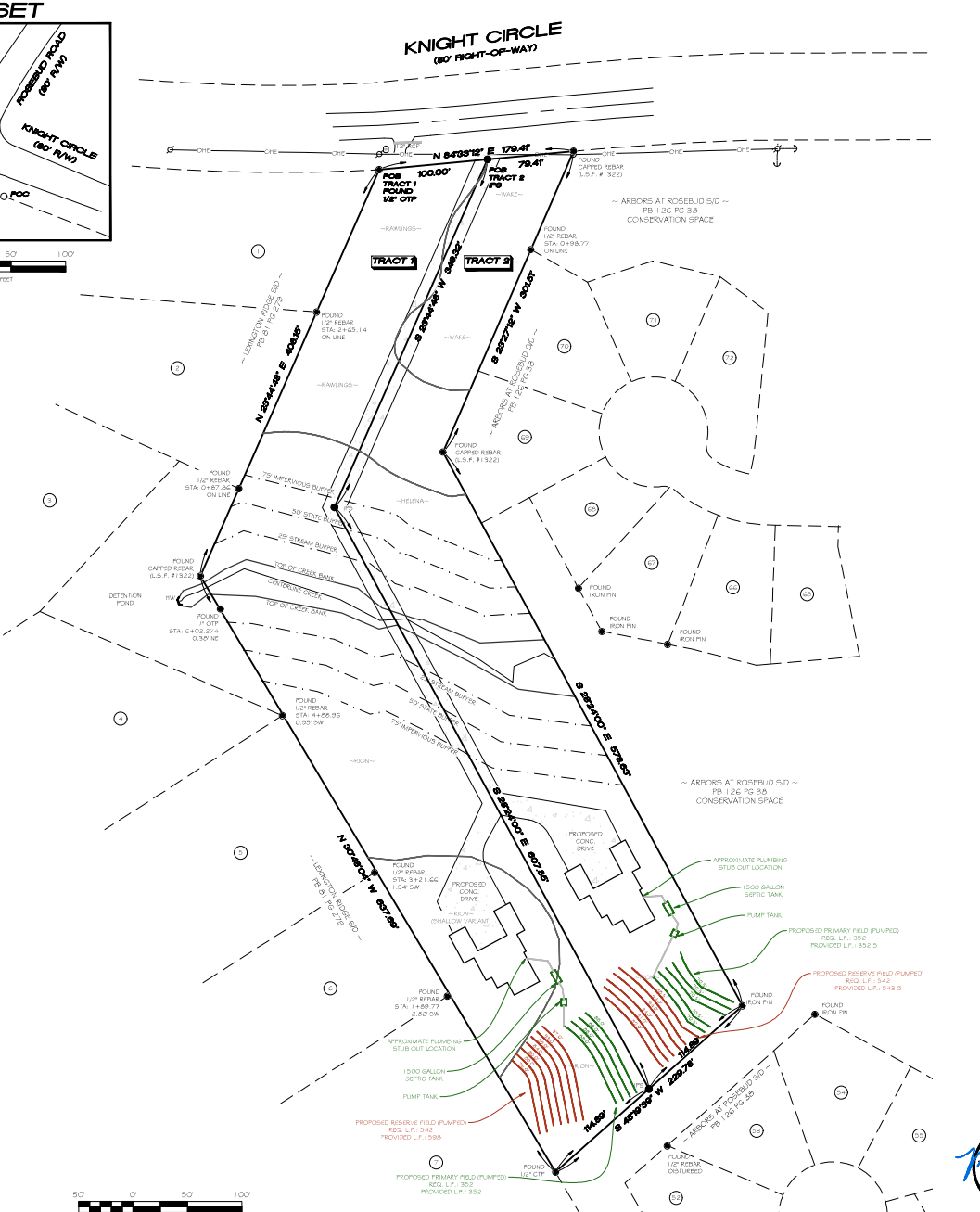


TRACT 1 CONTAINS  
11,142 Sq. Feet  
2.551 Acres

TRACT 2 CONTAINS  
89,782 Sq. Feet  
2.048 Acres

POC  
MITERED INTERSECTION OF THE  
SOUTHERLY RIGHT-OF-WAY OF KNIGHT  
CR., 80' RIGHT-OF-WAY AND SOUTHERLY  
RIGHT-OF-WAY OF ROSEBUD ROAD,  
80' RIGHT-OF-WAY

LINE	BEARING	DISTANCE
TR. #1	S 77°58'22" E	1,862.72'
TR. #2	S 76°58'07" E	1,878.58'



**NOTES**

1. ALL EASEMENTS AND RIGHTS OF WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE ARE SHOWN HEREON; OTHERS MAY EXIST OF WHICH THE SURVEYOR HAS NO KNOWLEDGE AND OF WHICH THERE IS NO OPERABLE EVIDENCE.

2. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH UNDER AND OVERLAIN.

3. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR GWINNETT COUNTY, GEORGIA, (COMMUNITY PLAN NUMBER 18193-C-0147-F, DATED SEPTEMBER 23, 2006), ALL OF THE SUBJECT PROPERTY IS WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE IN A 0.2% ANNUAL CHANCE FLOODPLAIN."

4. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE STRUCTURES AND ARE APPROXIMATE ONLY. THE PROPERTY SHOWN HEREON MAY BE SERVED BY UNDERGROUND UTILITIES WHICH ARE NOT SHOWN HEREON. LJA SURVEYING, INC. MAKES NO WARRANTIES OR CLAIMS AS TO THE ACCURACY OR COMPLETENESS OF ANY SUCH INFORMATION. ALL UTILITY COMPANIES SHOULD BE CONTACTED BEFORE BEGINNING ANY DESIGN OR CONSTRUCTION.

5. CURRENT PROPERTY OWNER: FACEBOOK RESIDENTIAL PARTNERS LLC

6. CURRENT SITE ADDRESS: (P.D. 4273 019) - 1806 KNIGHT CIRCLE

- SURVEY NOTES**
- All easements and rights of way of which the surveyor has knowledge are shown hereon; others may exist of which the surveyor has no knowledge and of which there is no operable evidence.
  - The property shown hereon is subject to all easements and restrictions of record both under and overlain.
  - According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community plan number 18193-C-0147-F, dated September 23, 2006), all of the subject property is within Zone X, defined as "areas determined to be in a 0.2% annual chance floodplain."
  - The locations of underground utilities shown hereon are based on visible structures and are approximate only. The property shown hereon may be served by underground utilities which are not shown hereon. LJA Surveying, Inc. makes no warranties or claims as to the accuracy or completeness of any such information. All utility companies should be contacted before beginning any design or construction.
  - Current property owner: Facebook Residential Partners LLC
  - Current site address: (P.D. 4273 019) - 1806 Knight Circle

**SURVEYOR CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAN HAS BEEN PREPARED BY A LICENSED SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR APPROVATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENT AGENCIES BY ANY PURCHASER OR USER OF THIS PLAN AS TO WHETHER USE OF ANY PARCEL FURTHERHEREIN, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

*Michael C. Bell*  
Michael C. Bell, GA P.L.S. #3465 Date 02/09/2024



**LJA SURVEYING, INC.**  
4855 SOUTH LEE INSET  
SUITE 100  
DUBLIN, GA 30116  
Phone: 770.993.1320  
Cell: 770.993.1320

LOCATED IN:  
LAID LOT 273  
4TH DISTRICT  
WINSTON SIMMONDS  
GWINNETT COUNTY, GEORGIA

SEPTIC PLAN  
OF  
TRACTS 1 AND 2  
FOR  
WINSTON SIMMONDS

**811**  
Know what's below.  
Call before you dig.  
Call before you dig. Call 811 or visit [www.811ga.com](http://www.811ga.com) to find out what's below. Call before you dig. Call 811 or visit [www.811ga.com](http://www.811ga.com) to find out what's below. Call before you dig. Call 811 or visit [www.811ga.com](http://www.811ga.com) to find out what's below.

PROJECT # 180478-002  
SHEET NO. 1 OF 1

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**Applicant's Letter of Intent**  
1906 Knight Circle  
Lot Width Reduction  
Variance from Section 210-120

The Applicant, Winston Simmonds, requests a variance from the Unified Development Ordinance to subdivide their property for two new single-family dwellings. The approximately 4.6-acre site is located on the south side of Knight Circle, between the Lexington Ridge and the Arbors at Rosebud subdivisions. The site has approximately 179.41 feet of road frontage and increases to approximately 230 feet of width at the rear of the site. A creek runs through the center of the site, which includes required County and State buffers. As an R-100 zoned property, each lot is required to have a minimum of 100 feet of width at the front building setback; in this case 50 feet from the Knight Circle Right of Way.

As proposed, the Applicant intends to split the property into two lots, as shown on the submitted plan and develop two new single-family dwellings. Both homes will be located on the south side of the creek and will be accessed by a shared drive with access from Knight Circle. To divide the property, a variance is required to allow one of the lots (Tract 2) to have a width of less than 100 feet at the front building setback line. As proposed the tract 2 will have a width of approximately 79.41 feet at the front setback line but will widen to beyond 100 feet further back in the property and will far exceed the minimum lot size for an R-100 property. Tract 1 will maintain the 100 feet at the front setback and does not require a variance. Overall, the variance will allow the Applicant to maintain the property as road lots and will not impact the density of the development, or residential character of the area.

The applicant looks forward to meeting with staff as well as the community to address all questions and concerns and is excited to provide exceptional homes in a highly desirable section of Gwinnett County. Please refer to the attached documents for additional details regarding the layout of the proposed single-family detached dwellings.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

4/11/2024